

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEVE BREEDEN,

Plaintiff,

vs.

KAISER ALUMINUM & CHEMICAL
CORPORATION, a Delaware
corporation,

Defendant.

NO. CV-05-0363-LRS

ORDER DENYING MOTION FOR
RECONSIDERATION

While this court appreciates the arguments expressed in the defendant's Motion for Reconsideration (Ct. Rec. 89) and Memorandum In Support of Motion (Ct. Rec. 90), the undersigned judicial officer respectfully concludes that the current state of the law on one or more elements at issue in this case may be impacted by proceedings currently before the Washington Supreme Court and the Washington State legislature. Even if a different conclusion is mandated when defendant's pending Motion for Summary Judgment ultimately comes on for hearing, neither plaintiff nor defendant can claim prejudice to their respective positions by permitting the present stay to remain in full force and effect at this time. Accordingly, for the reasons set forth in the record, the defendant's Motion for Reconsideration is hereby **DENIED**.

The District Court Executive is directed to file this Order and provide copies to counsel.

DATED this 19th March, 2007.

s/Lonny R. Suko

LONNY R. SUKO
United States District Court